

Maine Revised Statutes
Title 17-A: MAINE CRIMINAL CODE

Chapter 5: DEFENSES AND AFFIRMATIVE DEFENSES; JUSTIFICATION

§103-B. INVOLUNTARY CONDUCT

1. It is a defense that, when a person causes a result or engages in forbidden conduct, the person's act or omission to act is involuntary.

[1999, c. 195, §2 (NEW) .]

2. An omission to act is involuntary if the person fails to perform an act and:

A. The person is not capable of performing the act; [1999, c. 195, §2 (NEW) .]

B. The person has no legal duty to perform the act; or [1999, c. 195, §2 (NEW) .]

C. The person has no opportunity to perform the act. [1999, c. 195, §2 (NEW) .]

[1999, c. 195, §2 (NEW) .]

3. Possession of something is involuntary if the person:

A. Did not knowingly procure or receive the thing possessed; or [1999, c. 195, §2 (NEW) .]

B. Was not aware of the person's control of the possession for a sufficient period to have been able to terminate the person's possession of the thing. [1999, c. 195, §2 (NEW) .]

[1999, c. 195, §2 (NEW) .]

SECTION HISTORY

1999, c. 195, §2 (NEW) .

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